

REMARKS

This Application has been carefully reviewed in light of the Office Action mailed January 28, 2008. To advance prosecution of this application, Applicant is concurrently filing a Terminal Disclaimer. Applicant submits that all of the pending claims are in a condition of allowance. Applicant respectfully requests reconsideration, further examination, and favorable action in this case.

The Non-Statutory Double Patenting Rejection

The Examiner has rejected Claims 1-3, 5-17, 20-21, 23-32, 36-39, and 52-64 under the judicially created doctrine of obviousness-type double patenting over Claims 1-28 of U.S. Patent No. 7,259,906 B1 issued to Islam (“Islam”). The Examiner provides that a timely filed terminal disclaimer in compliance with 37 C.F.R. 1.321(c) may be used to overcome this rejection. Without conceding the veracity of any obviousness-type double patenting rejection, and solely for the purpose moving this case expediently to issuance, Applicant files herewith a Terminal Disclaimer obviating the double patenting rejection.

No Waiver

All of Applicant’s arguments are without prejudice or disclaimer. By not responding to additional statements made by the Examiner, Applicant does not acquiesce to the Examiner’s additional statements.

CONCLUSION

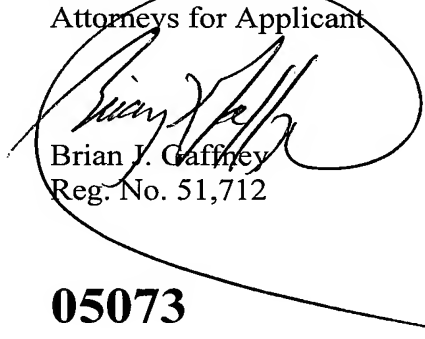
Applicant has made an earnest attempt to place this case in condition for allowance. For the foregoing reasons and for other reasons clearly apparent, Applicant respectfully requests reconsideration and full allowance of all pending Claims.

Filing concurrently herewith is a Terminal Disclaimer. Applicant believes no fee for this Response is due; however, the Commissioner is hereby authorized to charge any fee or credit any overpayment to Deposit Account No. 02-0384 of Baker Botts L.L.P.

If the Examiner feels that a conference would advance prosecution of this Application in any manner, Brian J. Gaffney stands willing to conduct such a telephone interview at the convenience of the Examiner. Mr. Gaffney may be reached at 214-953-6682.

Respectfully submitted,

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Date: Feb. 20, 2008

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